

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ECF Case

HUGHES CONTRACTING INDUSTRIES, INC.,

Civil Action No. 08 CIV 10075 (LBS)

Plaintiff,

NOTICE OF MOTION

-against-


RELiance CONSTRUCTION OF CANADA
a/k/a Construction Reliance du Canada ltee;
RELiance CONSTRUCTION, LTD d/b/a
RCG GROUP, also known as RCG
CONSTRUCTION GROUP; and
STEVEN KAPLAN,

Defendants.

PLEASE TAKE NOTICE that upon the affidavit of Paul A. Steenson, sworn to on the 15th day of April, 2009, and the exhibits annexed thereto, defendants' Local Rule 56.1 Statement, the accompanying memorandum of law submitted herewith and all prior proceedings had herein, defendants will move this Court, at the Courthouse, 500 Pearl Street, New York, New York, on the 26th day of May, 2009, or as soon thereafter as counsel can be heard, for summary judgment and an order, pursuant to Rules 56 and 12(h)(3) of the Federal Rules of Civil Procedure, dismissing this action against defendants on the ground that the Court lacks subject matter jurisdiction over this case, and for such other and further relief as the Court deems just and proper.

Dated: New York, New York
April 20, 2009

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